

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NOTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**IN RE:
LYNNE ANN HOLIDAY**

CASE NO. 13-70286 - HDH -13

Hearing Date: 9/18/2013

DEBTOR(S)

Hearing Time: 10:00 AM

TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW WALTER O'CHESKEY, Standing Chapter 13 Trustee (hereinafter referred to as Trustee), and files this Objection to Confirmation in opposition to confirmation of Debtors' Chapter 13 Plan and Motion for Valuation filed herein by the above debtor(s), and would respectfully show the Bankruptcy court:

- 1 Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on 7/31/2013.
- 2 Debtor(s) are above median income per 11 U.S.C. Sec. 1325 (b)(4).
- 3 Trustee alleges Debtor's expenses in Schedule J are excessive for a one-person household. Specifically, \$100 for clothing, \$100 for laundry and dry cleaning, and \$560.76 for utilities is excessive.
- 4 Trustee objects to confirmation in accordance with 11 U.S.C. 1325 (b)(1)(B) as Trustee is unable to verify all available disposable income is being committed to the Plan.
- 5 Trustee alleges Debtor valued her business equipment at \$750.00 on the Business Questionnaire, but only \$500.00 on Schedule B.
- 6 Trustee alleges Debtor listed \$2,500.00 accounts receivable on the Business Questionnaire, but did not list any accounts receivable on Schedule B.
- 7 Trustee alleges Debtor valued her business at \$50,000.00 on the Business Questionnaire, but did not list her business on Schedule B.
- 8 Trustee objects to confirmation in accordance with 11 U.S.C. 1325 (a)(4) as Trustee is unable to determine Debtor's equity in non-exempt property at this time.
- 9 Trustee alleges Debtor's Chapter 13 Plan does not provide treatment for a secured mortgage arrears claim filed by Wells Fargo Bank, N.A. in the amount of \$931.04.
- 10 Trustee objects to confirmation in accordance with 11 U.S.C. 1325 (a)(6) as the Plan will not pay as proposed.

WHEREFORE, the Trustee prays that the Bankruptcy Court deny Confirmation of the Debtor(s) Chapter 13 Plan and Motion for Valuation and for such other relief to which this bankruptcy estate may be justly entitled.

Date: 9/11/2013

Respectfully submitted,
/s/ Walter O'Cheskev

I hereby certify that a true and correct copy of the foregoing Trustee's Objection to Confirmation was this date served on the following parties at the addresses listed below by electronic service or by U.S. First Class Mail:

Debtor(s) Attorney
MONTE J WHITE
ATTORNEY AT LAW
1106 BROOK AVE HAMILTON PLAC
WICHITA FALL TX 76301-0000

Debtor(s)
LYNNE ANN HOLIDAY

113 PEMBROKE LN

WICHITA FALL TX 76301

Date: 9/11/2013

/s/ Walter O'Cheskey
Office of the Standing Trustee

LYNNE ANN HOLIDAY
113 PEMBROKE LN
WICHITA FALLS TX 76301